

ASSEMBLY BILL

No. 2412

Introduced by Assembly Member Hancock

February 23, 2006

An act to add and repeal Section 9603.5 of the Elections Code, relating to advisory elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2412, as introduced, Hancock. Advisory elections: counties: gaming.

Existing law governs the conduct of statewide and local elections, and sets forth provisions governing advisory elections.

This bill would require specified counties to hold an advisory election for the purpose of allowing voters to voice their opinions on the establishment of urban casinos, as specified.

By adding to the duties of local employees, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 9603.5 is added to the Elections Code, to read:

9603.5. (a) The following counties and city and county shall hold an advisory election on the next date on which that jurisdiction is currently permitted to hold a regular or special election, for the purpose of allowing voters within the jurisdiction to voice their opinions on the establishment of urban casinos:

- (1) Alameda County.
- (2) Contra Costa County.
- (3) Marin County.
- (4) Napa County.
- (5) San Francisco County.
- (6) San Mateo County.
- (7) Santa Clara County.
- (8) Solano County.
- (9) Sonoma County.

(b) An advisory vote shall be indicated as a ballot heading, above the ballot proposal, and by only the following description: "Advisory Vote Only."

(c) In each county or city and county, the question to be placed on the ballot shall be substantially the same as, "Do you approve of the placement or location of a casino in the urban areas of ____ County (insert County name)?"

(d) For purposes of this section:

(1) "Advisory vote" means an indication of general voter opinion regarding the ballot proposal. The results of the advisory vote shall in no manner be controlling on the Governor or Legislature.

(2) "Urban" means an urban location that meets the definition used by the United State Department of Commerce's Bureau of Census for "urban," which is a core census block group or block that has a population density of at least 1,000 people per square mile, and surrounding census blocks that have an overall density of at least 500 people per square mile.

(d) This section shall remain in effect only until January 1, 2008, and as of that date is repealed, unless a later enacted

1 statute, that is enacted before January 1, 2008, deletes or extends
2 that date.

3 SEC. 2. Due to the proposed location of casinos in urban
4 areas of Northern California, the Legislature hereby finds and
5 declares that a general statute cannot be made applicable within
6 the meaning of Section 16 of Article IV of the California
7 Constitution. Therefore, the special legislation contained in
8 Section 1 of this act is necessarily applicable only to those
9 counties specified in Section 1.

10 SEC. 3. If the Commission on State Mandates determines that
11 this act contains costs mandated by the state, reimbursement to
12 local agencies and school districts for those costs shall be made
13 pursuant to Part 7 (commencing with Section 17500) of Division
14 4 of Title 2 of the Government Code.